

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ALFRED B. LEVINE

Plaintiff,

vs.

CASIO AMERICA, INC., et al.,

Defendants.

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Case No. 2:11-cv-56

JURY TRIAL DEMANDED

**ORDER OF DISMISSAL WITH PREJUDICE OF
DEFENDANT ZTE (USA) INC.**

Pursuant to Fed. R. Civ. P. 41, and as a result of an agreement reached between plaintiff Alfred B. Levine (“Levine”) and defendant ZTE (USA) Inc. (“ZTE”) related to U.S. Patent Nos. 6,140,943 (“the ‘943 patent”) and 6,243,030 (“the ‘030 patent”),

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. This Court has personal jurisdiction over Levine and ZTE, and over the subject matter of this action.
2. Each claim made and that could have been made by Levine against ZTE based on the ‘943 and ‘030 patents, and each counterclaim made and that could have been made by ZTE against Levine based on the ‘943 and ‘030 patents, in this action is hereby dismissed with prejudice on the basis of the settlement reached, pursuant to Fed. R. Civ. P. 41.
3. Each party shall bear its own costs and attorneys’ fees.
4. Levine’s claims against the other defendants in this action shall remain pending.

5. The Court shall retain jurisdiction over this matter to ensure that the terms and conditions of the parties' settlement agreement are honored and enforced.

So ORDERED and SIGNED this 11th day of February, 2013.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE